

cases containing 24 $\frac{1}{2}$ -gallon cans, and 1 of said cases containing 48 $\frac{1}{2}$ -gallon cans of olive oil, at Chicago, Ill., alleging that the article had been shipped on October 1, 1918, by B. G. Makris, New York, N. Y., and transported from the State of New York into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Finest Quality Table Oil."

Adulteration of the article was alleged in the libel for the reason that cottonseed oil had been substituted wholly for the article, and for the further reason that it had been substituted in part for the article.

Misbranding of the article was alleged for the reason that the cans containing it were denominated as to the contents thereof, and labeled, marked, and branded "Finest Quality Table Oil Insuperable (design of olive trees, and natives picking and packing olives) Termini Imerese Type Winterpressed (in inconspicuous type) Cottonseed Oil Slightly Flavored with Olive Oil," and said statements, borne on the cans, were false and misleading in that they purported to set forth that the article consisted of genuine olive oil, whereas, in truth and in fact, it consisted of cottonseed oil, and for the further reason that said statements deceived and misled the purchaser into the belief that it consisted of genuine olive oil, whereas, in truth and in fact, it consisted of cottonseed oil. Misbranding of the article was alleged for the further reason that said statements, together with the designs and devices appearing on the labels of the cans, conveyed the impression that the article was a foreign product, whereas, in truth and in fact, it was a product of domestic manufacture, and for the further reason that it was an imitation of and was offered for sale under the distinctive name of another article, to wit, genuine olive oil. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight or measure.

On April 23, 1919, Guisippi Renzino, Chicago, Ill., claimant, having admitted the material allegations in the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the product should be properly relabeled.

E. D. BALL,

Acting Secretary of Agriculture.

7067. Adulteration and misbranding of Cacapon Healing Water. U. S. * * * v. 2 Barrels of Cacapon Healing Water. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9625. I. S. No. 13739-r. S. No. E-1215.)

On January 21, 1919, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2 barrels of Cacapon Healing Water, at Alpine, N. J., alleging that the article had been shipped on or about December 3, 1918, by the Capon Springs Co., Capon Springs, W. Va., and transported from the State of West Virginia into the State of New Jersey, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid animal and vegetable substance.

Misbranding of the article was alleged in the libel for the reason that the statements appearing on the labels of the barrels were false and fraudulent in that they represented that the article would produce certain therapeutic effects claimed for it, whereas, in truth and in fact, it would not produce the following therapeutic effects as claimed in said labels, to wit, "for many diseases, including some thought incurable * * * 100% Efficient * * * Cacapon Healing Water * * * for Bright's Disease, Kidney Troubles, Indigestion, Diabetes, Calculi, Rheumatism, Women's Diseases, Stomach Troubles, Dyspepsia, Uric Acid, Gout, Urethral and Uterine Troubles * * * Tonic, Alterative * * * Has cured for Centuries," (and in the testimonial of Dr. Thomas A. Ashby) " * * * rheumatic gout, syphilitic rheumatism, and chronic inflammation."

On August 7, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL,

Acting Secretary of Agriculture.

7068. Misbranding of Chili peppers. U. S. * * * v. 107 Sacks of Chili Peppers. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9626. I. S. Nos. 6290-r, 6291-r, 6292-r. S. No. C-1038.)

On January 24, 1919, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 107 sacks of Chili peppers at Austin, Tex., alleging that the article had been shipped on or about November 23, 1918, and December 17, 1918, by J. A. Knapp, Garden Grove, Calif., and transported from the State of California into the State of Texas, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance, being moldy and full of worms.

On June 20, 1919, the Walker Properties Association, Austin, Tex., having filed a claim for the product, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act, conditioned in part that the product should be used in the preparation of animal and chicken feed only.

E. D. BALL,

Acting Secretary of Agriculture.

7069. Misbranding of Hall's Texas Wonder. U. S. * * * v. 6 Dozen Packages of Hall's Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9627. I. S. No. 5935-r. S. No. C-1043.)

On January 23, 1919, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 6 dozen packages of Hall's Texas Wonder, remaining unsold in the original unbroken packages at Wichita, Kans., alleging that the article had been shipped on or about November 14, 1918, by E. W. Hall, St. Louis, Mo., and transported from the State of Missouri into the State of Kansas, and charging